The Dover Township Board of Supervisors regular meeting for Monday, September 24, 2012 was called to order at 7:00 PM by Chairwoman Shermeyer in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Madelyn Shermeyer, Monica Love, Michael Husson, Charles Richards, and Matthew Menges. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Atty. Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Karen Wilson, C. S. Davidson, Inc.; Charles Farley, Public Works Director; Bradley Hengst, Sewage Enforcement Officer; and Dawn Slegel, Recording Secretary. There were 6 citizens and a news reporter seated in the audience. This meeting has been recorded for minute purposes only.

A moment of silence was requested for remembrance of those who stand in harm’s way and their families, followed by the reciting of the Pledge of Allegiance to the American Flag.

APPROVAL OF WORK SESSION MINUTES FOR AUGUST 27, 2012
Motion by M. Love and second by M. Husson to approve the work session minutes for August 27, 2012 as presented. Passed with 5 ayes.

APPROVAL OF MEETING MINUTES FOR AUGUST 27, 2012
Motion by M. Husson and second by M. Menges to approve the meeting minutes for August 27, 2012 as presented. Passed with 5 ayes.

TREASURER’S REPORT
Motion by C. Richards and second by M. Husson to approve the warrant total for September 10, 2012 in the amount of $191,198.84 as presented. Passed with 5 ayes.

Motion by M. Husson and second by C. Richards to approve the warrant total for September 21, 2012 in the amount of $592,479.58 as presented. Passed with 5 ayes.

PUBLIC COMMENT PERIOD
Listed on the Agenda
Andrea Crone, Shelly’s Restaurant - General Permit to Move Electric Pole in Right-of-Way - Mrs. Crone was not present at this time.

Donald Keener - Waiver from Stormwater Requirements for 5801K Crone Road - Mr. Keener related to the Board that it would cost an additional $7,000 to $10,000 onto the cost of his single family home construction to meet the stormwater requirements on his property. He noted that his home will be situated on sixteen acres, surrounded by heavily wooded areas; about a ½ mile from Crone Road; about a 1/4 of a mile from other homes in either direction; not in close proximity to any creeks or streams; and his existing driveway will be upgraded from dirt to stone. Therefore, the stormwater runoff from the construction of this home will not have a detrimental effect on other homes, creeks, or streams in the area.
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It does not meet the disconnected imperious requirement area (DIA) which is a requirement of the ordinance because the house is over 5,000 square feet of impervious area. It was suggested that he use bio-retention, rain gardens, and retentive grading. There are ways of not having to install concrete cisterns or structures.

It was the Township Engineer’s opinion that his design submitted for the stormwater was not necessary. The Township Engineer’s review is to determine if the Stormwater Ordinance requirements they proposed have been met and they were met.

It was recommended that Mr. Keener’s Engineer review DEP’s Best Management Practices Manual online for inexpensive possibilities of stormwater management.

The Township has to consult with DEP before they may waive any Stormwater Ordinance requirements. Economic reasons may not be acceptable to DEP in the Township Engineer’s perspective.

Using the natural terracing from the lay of the land, low retention areas, or low graded areas mixed with sand and compost were some helpful stormwater management solutions.

Andrea Crone arrived later for her public comment. She presented a plan which displayed a Met-Ed electric pole in the middle of the proposed sidewalk and curbing of the right-of-way area on Carlisle Road and requested that Dover Township be the applicant for the PennDOT General Permit to relocate the utility pole which also houses transformers.

Mrs. Crone was informed that if the Township is the applicant, any associated fees must be paid by the property owners.

Motion by M. Husson and second by M. Menges to authorize Dover Township as the applicant for the PennDOT General Permit for the relocation of the utility pole at 3701 Carlisle Road. Passed with 5 ayes.

Clarification was made that Dover Township would only sign the PennDOT application but it must be completed by the property owner.

Jason Wolf, 3436 Cardinal Lane - Access to Remove Log Jam in Creek onto Township’s Sewer Right-of-Way - Mr. Wolf requested use of the Township’s right-of-way to remove the debris from the creek. He is currently obtaining cost estimates from contractors to perform this work.

The Township has an easement on the other side of the creek only to access their sewer manhole. The easement does not go all of the way to the creek. The Developer of Fountain Rock owns the entire property on that side of the creek.

The Township Solicitor advised that the Township does not have the capability of granting permission because the Sewer Right-of-Way is only for the use of the Township to access the sewer line. It would be best if he obtained permission from the landowner. Dover Township does not have
an objection to Mr. Wolf performing this work.

Mr. Wolf will make one last attempt to obtain permission from Fountain Rock to access the creek from their side in order to remove debris that cannot be reached from his property. If he cannot make any progress, Mr. Wolf will contact the Township Manager, who will send a letter from the Township.

Al Guiseppe, Spotts, Stevens & McCoy - McNaughton Potential Well Site - Mr. Guiseppe reported that SSM Group (Spotts, Stevens & McCoy) have been contracted by the Township to evaluate the feasibility on the McNaughton property to support a public water supply well. The hydrology of the parcel looks favorable. The next step is to drill an exploratory well to determine if there is sufficient water to provide a public water supply. From that point, it can be converted to a permanent production line. A proposal has been submitted for later consideration of these two steps. It was highly recommended by Mr. Guiseppe that the Township enter into any agreements with the property owners to allow access and other financial commitments before the on-site drilling begins. This would involve two parties, the McNaughton property which is the well site location, and the wellhead protection area surrounding the well site which needs to be kept free of man-made structures. This would include the neighboring property which is the Minnich property located on the back portion of Angus Lane. The permanent easement agreements are prepared now contingent on an approved well. The test well drilling will be 500 to 700 feet underground.

There weren’t any further comments from the public at this time.

RECOGNITION OF YORK COUNTY HERITAGE AWARDS FOR CAROUSEL AND JAIL BUILDINGS - Gail Heagy, the Assistant Archivist for the Greater Dover Area Historical Society, researched and completed the forms for the Carousel Building and Jail House to be submitted to the York County Heritage Program for the York County Heritage Awards. The Carousel Building and Jail House were then recommended as a heritage site to the York County Planning Commission Board. On September 5, 2012, Lori Koch, the Secretary, and Madelyn Shermeyer, the President of the Greater Dover Area Historical Society were present to receive these awards. Chair Shermeyer presented the plaques to the Township for their display in the lobby area. Both the Jail House and the Carousel Building have stickers in the window noting the award.

SEWAGE ENFORCEMENT OFFICER’S REPORT by Bradley Hengst
Well Isolation Distance Exemption for Kenneth M. Stoppard of 3960 West Canal Road - Mr. Hengst reported that the property at 3960 West Canal Road needs a new septic system and the proposed area is closer than 100 feet to the existing well as required by the State Law. This septic system will have a recently approved system called a drip micro mound. He requested a waiver to the 100 foot requirement since it is only 80 feet from the existing well to the absorption area. The septic system does slope away from the well.

Atty. Rausch advised that an agreement should be prepared and recorded between the property owner and Dover Township.
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Motion by M. Love and second by C. Richards to grant the waiver for the 100 feet well isolation distance at 3960 West Canal Road and require a recorded agreement as prepared by the Township Solicitor be executed and made a strong recommendation that the property owner test their well on a regular basis. Passed with 5 ayes.

It was noted that the cost of the agreement preparation and recording will be paid by the property owner.

Small Flow Treatment Facility Planning Module for Richard R. Stone, 6260 Pinchtown Road - Mr. Hengst reported that this planning module must be presented to the Dover Township Planning Commission prior to the Board of Supervisors. He will bring this module to the next BOS Meeting.

Chair Shermeyer asked Vice Chair Love to resume the meeting because Chair Shermeyer was having problems with her eyesight. Vice Chair Love chaired the remainder of the meeting.

ENGINEER'S REPORT by Terry Myers

Contract Change Order No. 2 for a Decrease of $2,439.50 of George Street Culvert Replacements - Mr. Myers reported that C. S. Davidson has done a final inspection finding that fencing still needs to be put back in place on the south side of the street.

It was suggested that the Highway Crew Leader check the area to post a warning for a low or no shoulder sign along this portion of George Street.

The Contract Change Order No. 2 is to adjust the quantities. The wearing course did not require the entire amount planned and also a reduction in the amount of rip rap. The original contract price was $164,344.50 and with this change, the overall total contract price will be $164,563.77.

Motion by M. Menges and second by M. Husson to approve Contract Change Order No. 2 for a decrease of $2,439.50 of the George Street Culvert Replacement Project. Passed with 5 ayes.

Application for Payment No. 4 (Final) to Fitz & Smith for $13,529.47 for George Street Culvert Replacements - Mr. Myers reported that the final application for payment includes the placement of the wearing course and release of the 5% retainage. The net amount approved for payment was $13,529.47.

Motion by M. Shermeyer and second by M. Menges to approve Application for Payment No. 4 (final) to Fitz and Smith in the amount of $13,529.47 for the George Street Culvert Replacement Project. Passed with 5 ayes.

Contract Change Order No. 1 for Pipe Delivery of $450.00 - Mr. Myers reported that he has a change order for the Marlborough Road Project. Conewago Excavating & Paving had to get the pipe at Exeter Supply in New Salem due to some miscommunication. Several trips needed to be made by the contractor to pick up the pipe for this project.
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Motion by M. Shermeyer and second by C. Richards to approve Contract Change Order No. 1 in the amount of $450.00 for the Marlborough Drainage Project. Passed with 5 ayes.

Application for Payment No. 1 to Conewago Excavating & Paving Inc. for $18,430.00 of Marlborough Drainage Improvements - Mr. Myers reported that the application for payment with original contract price is $17,980.00 plus the $450.00 brings the total to $18,430.00. The check to Conewago Excavating & Paving Inc. will be held until the Township Engineer has the opportunity to finalize the project.

Motion by M. Menges and second by M. Husson to approve Application for Payment No. 1 for $18,430.00 holding the check to Conewago Excavating & Paving Inc. until the Township Engineer has the opportunity to finalize the Marlborough Drainage Improvements Project. Passed with 5 ayes.

Bid Award of Community Park Pedestrian Bridge Installation to H & H General Excavating Co. for $14,749.00 - Mr. Myers reported that the bid will include modifications to the abutments and the assembly and construction of the approaches for the bridge. The low bid was from H & H General Excavating Co. in the amount of $14,749.00.

Motion by M. Shermeyer and second by M. Menges to award the low bid to H & H General Excavating Co. for $14,749.00 to install the Community Park Pedestrian Bridge. Passed with 5 ayes.

Wyngate Retention Pond Improvements - Mr. Myers discussed recommendations to improve the Wyngate Retention Pond and along Mr. Straley’s property.

A suggestion was made to use bio-engineering for this project promoting innovative sources to add to the MS4 Report and initiated by Dover Township. The stormwater can then be slowed down, cooled, and infiltrated.

Mr. Myers will discuss this idea of alternatives to improve water quality in the overall rehabilitation of the stream with Mr. Straley in an effort to move forward with the agreement.

Questions for the Township Engineer - A question was asked about the repaving of South Salem Church Road. PennDOT is placing the final wearing course on South Salem Church Road.

SOLICITOR’S REPORT by Atty. Rausch

AT & T Cell Tower Lease Amendments for Locust Road – Atty. Rausch reported that cell tower renters are attempting to renegotiate their leases. The amendments to this lease include reduction in rent, a rent guarantee for three years, and enhancements to be added if applicable. The enhancements are fairly substantive to the lease agreement. The Township disliked all of the enhancements. They interfere with the ability to properly maintain and have control over the water tank. Communications will continue with AT & T and the Township Solicitor will update the Board at the next meeting.
MANAGER’S REPORT by Laurel Oswalt

Trick-or-Treat Night Set for Wednesday, October 31, 2012 from 6-8 PM - Motion by M. Shermeyer and second by C. Richards to set Trick-or-Treat Night for Wednesday, October 31, 2012 from 6-8 PM. Passed with 5 ayes.

2013 Animal Control Contract with Hemler Animal Control Service, LLC - Manager Oswalt reported that there is a slight increase in fees and per mile charges from last year’s contract.

Motion by M. Husson and second by C. Richards to accept the 2013 Animal Control Contract with Hemler Animal Control Service, LLC. Passed with 5 ayes.


Adopt-A-Road/Right-of-Way Program - Manager Oswalt reported that the Township’s program has been revamped to add the Right-of-Way Program to the Adopt-A-Road Clean-Up Program to coincide with the Great American Clean-up and the MS4 Programs. A survey will appear in the Township newsletter and on the website for interested participants.

Motion by M. Shermeyer and second by C. Richards to adopt the Adopt-A-Road/Right-of-Way Program contingent on the Township Solicitor’s review. Passed with 5 ayes.

Additional Items

Manager Oswalt presented a photograph of a piece of equipment fabricated by Wayne Latchaw and Bill Barshinger to assist in the maintenance of the ballfields which saved the Township over $3,000. She also presented the Board with a preliminary draft of the five year road plan which does not include the $1 million bond.

Manager Oswalt requested a brief executive session after this meeting on a personnel matter.

PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley

Authorization to Sign SSM Proposal on McNaughton Site - Mr. Farley requested the Board’s authorization of the Spotts, Stevens, and McCoy proposal for the McNaughton Site pending signed agreements with the property owners. The proposal consists of Task 1 for an exploratory test well in the amount of $19,386.80 and Task 2 for the production well conversion in the amount of $47,052.28 with the estimated total of $66,439.

Motion by C. Richards and second by M. Husson to authorize the signing of the SSM Proposal on the McNaughton Site. Passed with 4 ayes and 1 nay with opposition by M. Shermeyer.

Authorization for a Legal Review of York Water Agreement Documents - Mr. Farley asked the Board to authorize Blakey, Yost, Bupp & Rausch to review the York Water Agreement. The original agreement with York Water Co. was valid for twenty years and is about to expire.
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Motion by M. Husson and second by M. Menges to authorize the legal review of the York Water Agreement documents by Blakey, Yost, Bupp & Rausch. Passed with 5 ayes.

Authorization for an Additional $120,000 of Sewer Capital Improvement Funds for 2012 Sewer Projects - Atty. Rausch stated that the Township may make these appropriations from the Sewer Reserve without revisions to the 2012 Budget as per the Second Class Township Code. These additional funds will address I & I rehabilitation work in compliance with the Consent Order and Agreement with DEP and will be completed in 2012.

Motion by M. Husson and second by M. Shermeyer to authorize an additional $120,000 of Sewer Capital Improvement Funds for 2012 sewer project. Passed with 5 ayes.

OLD BUSINESS
There wasn’t any old business at this time.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS
Supervisor Richards commented that he and Supervisors Love and Shermeyer attended the Economic Development Plan which he found to be interesting on improving York and developing a new logo for York. He also reported that he has been receiving complaints about trucks speeding through the Township and the use of their brake retarders.

The request was made for the Township Manager to check on the requirements for prohibiting the use of brake retarders on State roads.

Supervisor Menges questioned the malfunction of the traffic light at Carlisle Road and Emig Mill Road due to a recent accident.

Mr. Farley will contact the contractor to rectify the problem with the signal light.

Vice Chair Love stated that she has the final report for York Counts for any interested Board member. The Stoughs asked Supervisor Love to look at their stormwater issue at the southwest corner of Brookside and Virginia Avenues.

The Board discussed options to keep renters from backing up to the Carousel Building over the bricks to load or unload their wares.

Vice Chair Love reported on the recent seminars which she attended on the City of York Changes of Enforcement since EPA Fines, Mosquito Management, and Streambank Stabilization.

COMMENTS FROM THE PUBLIC PRESENT
There were no comments from the public at this time.
With no further business, the meeting was adjourned at 9:38 PM by Vice Chair Love into an Executive Session regarding a personnel matter.

Respectfully submitted by: ________________________________
Dawn D. Slegel, Township Secretary